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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

STEPHAN CAMPBELL, *on behalf of himself and all others similarly situated.*

Case No.: 2:23-cv-00861-GMN-EJY

STIPULATION AND ORDER REGARDING PUBLICATION/MEDIA NOTICE

EVERYTHING BREAKS, INC.

Plaintiff.

EVERYTHING BREAKS, INC..

Defendant.

TO THE COURT, EACH PARTY AND THEIR ATTORNEY OF RECORD:

Plaintiff Stephan Campbell (“Plaintiff”), individually and as representative of the proposed Settlement Class, and Defendant Everything Breaks, Inc. (“Defendant”), by and through their attorneys of record, hereby file this Stipulation regarding the Publication/Media Notice. In support thereof, the Parties state as follows:

1. On December 10, 2024, Plaintiff filed his Unopposed Motion to Certify Class and for Preliminary Approval of Class Action Settlement. [Dkt. 60].

2. On December 12, 2024, the Court granted said motion. [Dkt. 61].

3. The Settlement Agreement and Release executed by the Parties provides for a Notice Program comprised of E-Mail Notice, Mail Notice, Publication/Media Notice, Website Notice and Long-Form Notice on the Settlement Website. [See Dkt. 60-1 at 14].

4. With respect to E-Mail Notice and Mail Notice, the Settlement Administrator performed reverse lookup searches based on the class data provided by Defendant (i.e., class member telephone numbers) to identify persons in the Settlement Class and to determine their most recent e-mail addresses and/or direct mailing addresses.

5. The Settlement Administrator reports that it obtained email addresses and telephone numbers for approximately 99.5% of the telephone numbers searched.

6. Based on the foregoing, the parties stipulate and agree to forego the Publication/Media Notice contemplated by the Settlement Agreement and Release.

7. Forgoing the Publication/Media Notice will save resources and funds that will instead be made available to class members that submit valid claims, which ultimately benefits the class.

1 8. Accordingly, the parties request that the Court approve this Stipulation and enter the
 2 below Order.

3 Dated: January 24, 2025

4 Respectfully submitted,

5 /s/ w permission

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40 *Attorneys for Plaintiff*

41 **CERTIFICATE OF SERVICE**

42 I certify that on the date below I electronically filed the foregoing document and that it is
 43 available for viewing and downloading from the Court's CM/ECF system, and that all
 44 participants in the case are registered CM/ECF users and that service will be accomplished by
 45 the CM/ECF system.

46 BY: /s/ Chris R. Miltenberger

47 Chris R. Miltenberger

ORDERED

It is hereby ORDERED that the Stipulation Regarding Publication/Media Notice is approved. The Parties and the Settlement Administrator are ORDERED to cause notice to issue in accordance with the terms of the Settlement Agreement and the foregoing Stipulation.

Dated: January 24, 2025

U.S. District Court Judge

STIPULATION AND ORDER REGARDING PUBLICATION/MEDIA NOTICE
CASE No. 2:23-cv-00861